

REMARKS

Claims 1, 2, 4-19 and 21-45 are pending. An Office Action mailed December 8, 2004 rejected Claims 1, 2, 4-19 and 21-45 under 35 U.S.C. §103. By way of this Amendment, Applicants hereby amend Claims 1, 14-16, 42 and 44, and cancel Claims 12, 13, 38-41, 43 and 45. Pursuant to 37 CFR § 1.111, Applicants hereby respectfully request reconsideration of the application.

REJECTION OF CLAIMS UNDER 1, 2, 4-11, 16-19 AND 21-37 UNDER 35 U.S.C. §103

The Office Action rejected Claims 1, 2, 4-11, 16-19 and 21-37 as being unpatentable over Burgess et al. (hereinafter Burgess). Applicants have amended independent Claim 1 to include the limitations of Claims 12 and 13, therefore Applicants will direct the response to Section No. 3 on page 3 of the Office Action (Burgess in view of Rekieta). The Office Action states that Burgess does not teach storing or maintaining multiple copies of a data segment. Redundant use of database segments for enabling concurrent process of data records is well known in the art as disclosed by Rekieta. The Office Action states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Burgess with Rekieta's teachings because it would have enabled further concurrent processing of database storages. Applicants respectfully traverse this rejection.

Applicants submit that although Rekieta discloses a distributed redundant database, Rekieta fails to teach or suggest that one or more copies for a segment being available for updates, while other copies of the same segment are made available for queries. Therefore, Applicants submit that amended independent Claim 1 is allowable over the cited references. Because independent Claim 16 has been amended to include similar limitations as that in amended independent Claim 1, independent Claim 16 is allowable over the cited references. Because Claims 2-11, 14, 15, 17-37, 42, and 44 depend from allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable.

With regard to dependent Claim 15, Applicants submit that neither Burgess or Rekieta teach or suggest, alone or in combination, that at least one copy of each segment is available for query processing at all times. Therefore, Applicants submit that dependent Claim 15 is allowable for this additional reason.

CONCLUSION

Applicants respectfully submit that all of the claims of the pending application are now in condition for allowance over the cited references. Accordingly, Applicants respectfully request withdrawal of the rejections, allowance, and early passage through issuance. If the Examiner has any questions, the Examiner is invited to contact the Applicant's agent listed below.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}



Michael S. Smith

Registration No. 39,563

Direct Dial: 206.749.9888

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3/7/05

Date of Deposit


Michelle J. Funston-Carman

25315

CUSTOMER NUMBER

- 8 -

ARCE-1-1004ROA2

BLACK LOWE & GRAHAM^{PLLC}



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301